

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
**FIELD DIVISION** DIVISION

	)	C/A No. _____
	)	
Plaintiff(s),	)	
	)	
-versus-	)	<b>AMENDED CONFERENCE</b>
	)	<b>AND SCHEDULING ORDER</b>
	)	
Defendant(s).	)	

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court, the following schedule is established for this case. Discovery may begin upon receipt of this order.

1. A conference of the parties pursuant to Fed.R.Civ.P. 26(f) shall be held no later than \_\_\_\_\_<sup>1</sup> At conference the parties shall confer concerning all matters set forth in Fed.R.Civ.P. 26(f) and whether the schedule set forth in this order is appropriate and, if not, what modifications are necessary.<sup>2</sup>
2. No later than \_\_\_\_\_ the required initial disclosures under Fed.R.Civ.P. 26(a)(1) shall be made.<sup>3</sup>
3. No later than \_\_\_\_\_ the parties shall file a Rule 26(f) Report in the form attached to this order. Parties are hereby notified that Local Civil Rule 26.03 lists additional queries to be answered in the Rule 26(f) Report.
4. Motions to join other parties and amend the pleadings (Fed.R.Civ.P.16(b)(1)) shall be filed no later than \_\_\_\_\_<sup>4</sup>
5. Plaintiff(s) shall file and serve a document identifying by full name, address, and telephone number each person whom Plaintiff(s) expects to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) has been disclosed to other parties by \_\_\_\_\_
6. Defendant(s) shall file and serve a document identifying by full name, address, and telephone number \_\_\_\_\_

<sup>1</sup>Plaintiff's counsel shall initiate the scheduling of the Rule 26(f) conference with all counsel known to plaintiff regardless of whether they have filed appearances.

<sup>2</sup>The parties shall also consider whether they wish to consent to trial before a United States Magistrate Judge. See Notice of Availability of United States Magistrate Judge.

<sup>3</sup>Pursuant to Fed.R.Civ.P. 26(a)(1), the parties may, by stipulation, agree not to make some or all of the Rule 26(a)(1) initial disclosures. If such a stipulation is made, it shall be confirmed in writing between the parties. See Fed.R.Civ.P. 29 and Local Civil Rule 29.01.

<sup>4</sup>As a general rule, when no timely response is filed to any motion, the Court will grant the motion with the notation that it is being "granted *without opposition*."

each person whom Defendant(s) expects to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) has been disclosed to other parties by \_\_\_\_\_

7. Counsel shall file and serve affidavits of records custodian witnesses proposed to be presented by affidavit at trial no later than \_\_\_\_\_. Objections to such affidavits must be made within fourteen (14) days after the service of the disclosure. (See Fed.R.Evid. 803(6), 902(11), or 902(12) and Local Civil Rule 16.02(D)(3)).
8. Discovery shall be completed no later than \_\_\_\_\_. All discovery requests shall be served in time for the responses thereto to be served by this date. De bene esse depositions must be completed by discovery deadline. No motions relating to discovery shall be filed until counsel have consulted and attempted to resolve the matter as required by Local Civil Rule 7.02.
9. Motions in limine must be filed at no later than \_\_\_\_\_. Written responses are due seven (7) days thereafter.
10. All other motions, except those to complete discovery, those nonwaivable motions made pursuant to Fed.R.Civ.P. 12, and those relating to the admissibility of evidence at trial, shall be filed on or before \_\_\_\_\_. (Fed.R.Civ.P.16(b)(2)).
11. Mediation shall be completed in this case on or before \_\_\_\_\_. See Judge Floyd's Standing Mediation Order which sets forth mediation requirements.
12. No later than \_\_\_\_\_ the parties shall file and exchange Fed.R.Civ.P. 26(a)(3) pretrial disclosures. Within fourteen (14) days thereafter, a party shall file and exchange Fed.R.Civ.P. 26(a)(3) objections, any objections to use of a deposition designated by another party and any deposition counter-designations under Fed.R.Civ.P. 32(a)(4). See Local Civil Rule 30.03(J) (video deposition additional requirements).
13. Parties shall furnish the Court pretrial briefs five (5) business days prior to the date set for jury selection (Local Civil Rule 26.05). Attorneys shall meet at least five (5) business days prior to the date set for submission of pretrial briefs for the purpose of exchanging and marking all exhibits. See Local Civil Rule 26.07.
14. This case is subject to being called for jury selection and/or trial on or after \_\_\_\_\_.

\_\_\_\_\_  
Henry F. Floyd  
United States District Judge

Dated: \_\_\_\_\_  
Spartanburg, South Carolina

Pursuant to Local Civil Rule 83.I.08, this order is being sent to local counsel only.